



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

JOHN D. CHERRY, JR.
LT. GOVERNOR

**EXECUTIVE ORDER
No. 2010-7**

DECLARATION OF STATE OF DISASTER

CALHOUN COUNTY OIL PIPELINE SPILL

WHEREAS, Section 1 of Article V of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the Governor;

WHEREAS, under Section 51 of Article IV of the Michigan Constitution of 1963, the public health and general welfare of the people of this state are declared to be matters of primary public concern;

WHEREAS, under Section 52 of Article IV of the Michigan Constitution of 1963, the conservation and development of the natural resources of this state are declared to be of paramount public concern in the interest of the health, safety and general welfare of the people;

WHEREAS, under the Emergency Management Act, 1976 PA 390, MCL 30.401 to 30.421, and 1945 PA 302, MCL 10.31 to 10.33, the Governor is responsible for coping with dangers to this state or the people of this state presented by a disaster or emergency and may issue executive orders, proclamations, and directives having the force and effect of law;

WHEREAS, under Section 3 of the Emergency Management Act, 1976 PA 390, MCL 30.403, the Governor shall, by executive order or proclamation, declare a state of disaster if the Governor finds that a disaster has occurred or that the threat of a disaster exists;

WHEREAS, an oil spill occurred from an oil pipeline in Calhoun County near Marshall, Michigan on Monday, July 26, 2010;

WHEREAS, although the pipeline has been shut down, a substantial amount of oil has leaked from the pipeline and has entered Talmadge Creek and the Kalamazoo River;

WHEREAS, local states of emergency have been declared by the City of Battle Creek and Calhoun County, and state, local, and federal emergency response agencies have been activated to assist in containing the spill and assure that all possible steps are taken to minimize the impact of this incident on the public;

WHEREAS, I find that a disaster has occurred in Calhoun County that threatens the area downstream along the Kalamazoo River and that immediate action is necessary to protect the public health, safety, and welfare, to safeguard the environment and interests of this State, and to respond to this disaster;

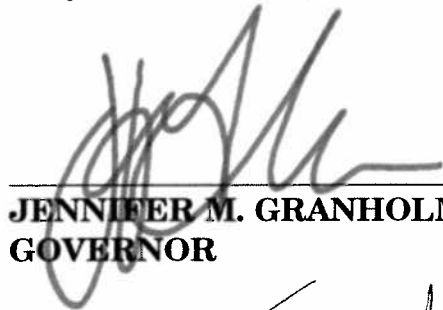
NOW, THEREFORE, I, JENNIFER M. GRANHOLM, Governor of the State of Michigan, by virtue of the power and the authority vested in the Governor by the Michigan Constitution of 1963 and Michigan law, including the Emergency Management Act, 1976 PA 390, MCL 30.401 to 30.421, order the following:

1. A State of Disaster is declared in Calhoun County and potentially affected areas along the Kalamazoo River downstream of Talmadge Creek.
2. The Emergency Management and Homeland Security Division of the Department of State Police shall coordinate and maximize all state efforts that may be activated to state service to assist local governments and officials in the affected areas and may call upon all state departments and agencies to utilize available resources to assist in the affected areas focusing on public health and safety concerns consistent with the Michigan Emergency Management Plan.
3. The State of Disaster is terminated at such time as disaster conditions no longer exist and appropriate programs have been implemented to recover from the effects of the disaster conditions but in no case later than Tuesday, August 24, 2010.

This Order is effective upon filing.

Given under my hand and the Great Seal of the State of Michigan this 27th day of July in the year of our Lord, two thousand and ten.




JENNIFER M. GRANHOLM
GOVERNOR

BY THE GOVERNOR:


SECRETARY OF STATE

FILED WITH SECRETARY OF STATE

ON 7/27/2010 AT 7:00 p.m.